

**STATE OF RHODE ISLAND  
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

**PUBLIC NOTICE OF PROPOSED RULE-MAKING**

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to adopt the following DCYF rule:

**LEGAL ESTABLISHMENT**

This new rule, in compliance with the federal court order relating to RI Training School residents and the accreditation standards of the American Correctional Association for Juvenile Training Schools and Juvenile Detention Facilities, outlines the legal authority for the DCYF to operate the RI Training School within the Division of Juvenile Corrections.

In the development of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This proposed rule is accessible on the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401 528-3685). Interested persons should submit data, views or written comments by April 5, 2010 Susan Bowler, Administrator for Families and Children, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 ([Susan.Bowler@dcyf.ri.gov](mailto:Susan.Bowler@dcyf.ri.gov)).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

## **Legal Establishment**

**Rhode Island Department of Children, Youth, and Families**  
**Division of Juvenile Correctional Services: RI Training School**

**Policy: 1200.0000**

**Effective Date:**

**Version: 1**

RI General Law (RIGL) 42-72-1 establishes within the executive branch of state government the Department of Children, Youth, and Families (DCYF). RIGL 42-72-5 establishes the Department as the principal agency of the state to mobilize the human, physical and financial resources available to plan, develop and evaluate a comprehensive and integrated statewide program of services designed to ensure the opportunity for children to reach their full potential. Further, the statute empowers the Director to establish those administrative and operational divisions of the Department determined to be in the best interest of fulfilling the purposes and duties of this chapter and to promulgate all rules and regulations necessary for the execution of Departmental powers pursuant to the Administrative Procedures Act (RIGL 42-35). RIGL 42-72-17.2 requires that the Department maintain the Rhode Island Training School, which consists of a Youth Development Center, a Youth Assessment Center and a Female Correctional Treatment Facility.

The Division of Juvenile Corrections complies with state law and policy with respect to enumerated professions in hiring employees as well as in retaining vendors that provide services to residents of the Training School. The Training School medical clinic is approved by the Department of Health and the educational program is certified by the Department of Elementary and Secondary Education.

### **Related Procedures**

Legal Establishment

## **Legal Establishment**

### **Procedure from Policy 1200.0000: Legal Establishment**

- A. The Department of Children, Youth and Families is the governing authority for the Division of Juvenile Corrections.
- B. The Division of Juvenile Corrections maintains the Training School as required by statute to meet the rehabilitation and community safety needs of male and female youth placed by order of the Family Court.
  - 1. The Roosevelt Benton Youth Assessment Center provides services to male youth who are held awaiting disposition or for male youth newly adjudicated and sentenced.
  - 2. The Youth Development Center provides services to male youth who have been adjudicated and sentenced.
  - 3. The Female Correctional Treatment Unit provides services to female youth who are held awaiting disposition or who have been sentenced.
- C. The Superintendent and administrators of the Training School ensure that all employees and/or vendors providing services to residents are licensed and/or certified and/or qualified as required by the Department of Children, Youth and Families, the Department of Health and the Department of Elementary and Secondary Education.
- D. Paragraphs A and B are consistent with American Correctional Association (ACA) Standards 3-JDF-1A-01 and 3-JTS-1A-01; Paragraph C is consistent with ACA Standards 3-JDF-1A-02 and 3-JTS-1A-02.